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10/788,769	02/27/2004	Mayumi Takeda	KOT-0090	8475

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EXAMINER

MAHMOOD, REZWANUL

ART UNIT	PAPER NUMBER
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2164

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/788,769	Applicant(s) TAKEDA, MAYUMI	
	Examiner Rezwanul Mahmood	Art Unit 2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-7 and 10-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-7 and 10-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the communication filed on October 25, 2006.

Claim Objections

2. Claims 1, 5, and 13 are objected to because of the following informalities:
3. In claim 1 line 8, "a inputting device" should be "an inputting device".
4. In claim 5 line 3, "prescribe directory" should be "prescribed directory".
5. In claim 13 line 2, "prescribe directory" should be "prescribed directory".
6. Appropriate correction is required.

Claim Rejections - 35 USC § 101

7. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8. Claims 1, 4-7, and 10-19 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claim raises a question whether the claim is directed merely to an abstract idea that is not tied to a environment or machine which would result in a practical operation producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

In independent claims 1, 7, and 19, after the steps of inputting and searching, no tangible result is being produced. There should be an output produced, either the

results should be displayed or stored in a storage medium.

Response to Amendment

9. Claims 1-18 were previously pending in this application.
10. Claims 2,3,8, and 9 have been canceled, new claim 19 has been added.
11. Claims 1, 4-7, and 10-19 are now pending in this office action.
12. In view of the amendment filed on 10/25/2006, the objections to claims 1, 7, and 10 have been withdrawn.
13. The 35 U.S.C. 112 rejection on claims 1-18 have also been withdrawn.

Response to Arguments

14. Applicant's arguments filed on September 21, 2006 have been fully considered but they are not persuasive for the following reasons:

Applicant argues that Gookin does not disclose "searching a plurality of directory structures based on the first name and the second name so as to extract the prescribed directory structure comprising the directory having the first name and the directory having the second name", as presented in independent claims 1, 7, and 19. Also the applicant points out a difference that "in Gookin, the user has to know all the directory tree structure from root to the target directory".

Examiner respectfully disagrees all of the allegations as argued. Examiner, in his previous office action, gave detail explanation of claimed limitation and pointed out exact locations in the cited prior art.

Examiner is entitled to give claim limitations their broadest reasonable interpretation in light of the specification. See MPEP 2111 [R-1]

Interpretation of Claims-Broadest Reasonable Interpretation:

During patent examination, the pending claims must be 'given the broadest reasonable interpretation consistent with the specification.' Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969).

Gookin teaches in pages 235-237 the DOS operating system environment and instructions to use the system. The command "CD" is used for searching a directory in a directory structure in a computer storage medium. When the user types "C:\CD \123\DOOM" as shown in page 236, it extracts from the root directory structure the two directories "123" and "DOOM". Here "C:\" is the prescribed directory structure which contains directories "123" and "DOOM" among multiple directories. Multiple directory structures are also available like "D:\\" as shown in page 235. When the user types "C:\CD \123\DOOM", the user searches a plurality of directory structures based on the first name and the second name so as to extract the prescribed directory structure comprising the directory having the first name and the directory having the second name.

As for the response to the different noted by the applicant, the applicant points out according to Gookin, the user has to know all the directory tree structure from root to the target directory. The examiner points out that as described in the applicant's claim language, Gookin also extracts all of prescribed directory structures by specifying a first directory name and a second directory name. Also it is well known in the art that the

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"DIR" command can give the list of directory structures in DOS, and wildcard character "*" can be used to extract directories. So the user does not have to know all the directory tree structures from root to the target directory (Gookin: Pages 153-160).

For the above reasons, Examiner believed that rejection of the last Office action was proper.

Claim Rejections - 35 USC § 102

15. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

16. Claims 1, 4-7, and 10-19 are rejected under 35 U.S.C. 102(e) as being anticipated by "More DOS for Dummies" by Dan Gookin (Copyright 1994)

17. With respect to claim 1, Gookin discloses a directory searching method of searching a plurality of directory structures in a storage medium for a prescribed directory structure, wherein the plurality of directory structures constitutes a hierarchical structure and the prescribed directory structure includes at least two directory of a directory having a first name and a directory having a second name (Gookin: Pages 235-237; Here the author describes the DOS operating system environment and

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instructions to use the system. The command "CD" is described for searching directory in a directory structure in a computer storage medium. At least two directories are described in Figure 2 in Page 236 having a first name and a second name), the directory searching method comprising:

inputting the first name and the second name with an inputting device (Gookin: Figure 2 in Page 236 describes inputting a DOS command at the command prompt with the first and second directory name. To input a command, inherently there must be an inputting device), and

searching the plurality of directory structures based on the first name and the second name so as to extract the prescribed directory structure comprising the directory having the first name and the directory having the second name (Gookin: Figure 2 in Page 236 searching plural directory structures. Here the directory structure is first searched based on the first directory name),

wherein the directory having the second name is in the same hierarchy level as the hierarchy level on the directory having the first name (Gookin: Here both the directory with the first name and the directory with the first name are in the same hierarchy level under the prescribed directory structure).

18. With respect to claim 4, Gookin discloses the directory searching method of claim 1, further comprising:

displaying at least part of the prescribed directory structure extracted in the searching step (Gookin: In DOS the current directory structure can be displayed using

the "DIR" command. Other commands can also be used).

19. With respect to claim 5, Gookin discloses the directory searching method of claim 1, further comprising:

selecting a part of the prescribed directory structure extracted in the searching step (Gookin: In DOS after reviewing the extracted directory structure, the prescribed directory can be selected by using the proper directory access command).

With respect to claim 6, Gookin discloses the directory searching method of claim 1, wherein the at least two directories store a set data containing at least one of image data, sound data and sound image data (Gookin: Page 235-237; Here in the examples the directory contains data about games. It can inherently contain any other data types like image, sound, or sound image).

20. With respect to claim 7, Gookin discloses a directory searching apparatus for searching a plurality of directory structures in a storage medium for a prescribed directory, wherein the plurality of directory structures constitutes a hierarchical structure and the prescribed directory structure includes at least two directories of a directory having a first name and a directory having a second name (Gookin: Pages 235-237; Here the author describes the DOS operating system environment and instructions to use the system. The command "CD" is described for searching directory in a directory structure in a computer storage medium. At least two directories are described in Figure

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2 in Page 236 having a first name and a second name), the directory searching apparatus comprising:

an inputting device to input the first name and the second name (Gookin: Figure 2 in Page 236 describes inputting a DOS command at the command prompt with the first and second directory name. To input a command, inherently there must be an inputting device), and

a searching device for searching the plurality of directory structures based on the first name and the second name so as to extract the prescribed directory structure comprising the directory having the first name and the directory having the second name (Gookin: Figure 2 in Page 236 searching plural directory structures. Here the directory structure is first searched based on the first directory name),

wherein the directory having the second name is in the same hierarchy level as the hierarchy level of the directory having the first name (Gookin: Here both the directory with the first name and the directory with the first name are in the same hierarchy level under the prescribed directory structure).

21. With respect to claim 10, Gookin discloses the directory searching apparatus of claim 7, further comprising:

a range specification device to specify a search range (Gookin: In DOS the command typed to access a particular directory already specifies the search range. Inherently a range specification device is functional).

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22. With respect to claim 11, Gookin discloses the directory searching apparatus of claim 10, wherein the search range is the top and bottom level in the directory structure (Gookin: In DOS the directory path goes from the root to the desired sub-directory, so the search range is the top and bottom level in the directory structure).

23. With respect to claim 12, * discloses the directory searching apparatus of claim 7, further comprising:

a displaying device to display at least a part of the prescribed directory structure extracted by the searching device (Gookin: In DOS the current directory structure can be displayed using the "DIR" command. Other commands can also be used. To display, inherently a displaying device must be present).

24. With respect to claim 13, Gookin discloses the directory searching apparatus of claim 7, further comprising of:

a selecting device to select a part of the prescribed directory structure extracted by the searching device (Gookin: In DOS after reviewing the extracted directory structure, the prescribed directory can be selected by using the proper directory access command. Inherently for such selection to be made, a selection device must be present).

25. With respect to claim 14, Gookin discloses the directory searching apparatus of claim 7, wherein the at least two directories store a set data containing at least one of

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image data, sound data and sound image data (Gookin: Page 235-237; Here in the examples the directory contains data about games. It can inherently contain any other data types like image, sound, or sound image).

26. With respect to claim 15, Gookin discloses a directory searching program comprising step of controlling a computer to function as a directory searching method of claim 1 (Gookin: The DOS operating system operates on a computer, which along with the operating system functions as a directory searching method).

27. With respect to claim 16, Gookin discloses a directory searching program comprising a controlling section to control a computer to function as a directory searching apparatus of claim 7 (Gookin: The DOS operating system operates on a computer, which along with the operating system functions as a directory searching apparatus).

28. With respect to claim 17, Gookin discloses a storage medium comprising data corresponding to the directory searching program of claim 15 (Gookin: The DOS operating system resides in a computer, which inherently has a storage medium to contain the operating system and other directories and data).

29. With respect to claim 18, Gookin discloses a storage medium comprising data corresponding to the directory searching program of claim 16 (Gookin: The DOS

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operating system resides in a computer, which inherently has a storage medium to contain the operating system and other directories and data).

30. With respect to claim 19, Gookin discloses a directory searching method of searching a plurality of directory structures in a storage medium for a prescribed directory structure, wherein the plurality of directory structures constitutes a hierarchical structure and the prescribed directory structure includes at least two directories of a directory having a first name and a directory having a second name (Gookin: Pages 235-237; Here the author describes the DOS operating system environment and instructions to use the system. The command "CD" is described for searching directory in a directory structure in a computer storage medium. At least two directories are described in Figure 2 in Page 236 having a first name and a second name), the directory searching method comprising:

inputting the first name and the second name with a inputting device (Gookin: Figure 2 in Page 236 describes inputting a DOS command at the command prompt with the first and second directory name. To input a command, inherently there must be an inputting device), and

searching the plurality of directory structures based on the first name and the second name so as to extract the prescribed directory structure comprising the directory having the first name and the directory having the second name (Gookin: Figure 2 in Page 236 searching plural directory structures. Here the directory structure is first searched based on the first directory name),

wherein the directory having the second name is in the hierarchy level below the hierarchy level of the directory having the first name (Gookin: Figure 2 in Page 236; Here the second directory can be a subdirectory of the first, in that case it will be in a hierarchy level below the hierarchy level of the first directory).

Conclusion

31. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

32. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Shi reference (US Patent 6,625,615) teaches about data processing system and method for multi-level directory searches. The Sedlar reference (US Patent 6,427,123) teaches about hierarchical indexing for accessing hierarchically organized information in a relational system.

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Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rezwanul Mahmood whose telephone number is (571)272-5625. The examiner can normally be reached on M - F 10 A.M. - 5 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571)272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Rezwanul Mahmood
Examiner
Art Unit 2164

December 29, 2006



MOHAMMAD ALI
PRIMARY EXAMINER